

COLUCCI & GALLAHER, P.C.

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October 30, 2024

Hon. Leslie G. Foschio
United States Magistrate Judge
2 Niagara Square
Buffalo, New York 14202

Re: Ryan v. Town of Tonawanda, *et al.*
Civil Case no. 23-CV-00351 LJV(F)

Dear Magistrate Judge Foschio:

This office represents Defendants in the above-referenced matter. In response to the October 10 Decision and Order from Your Honor, specifically the Conclusion section, Defendants will not be making a show cause application regarding the award of expenses. Instead, we respectfully defer to this Court to determine that issue. Should expenses be awarded, Defendants request the opportunity to review any fee application and respond appropriately.

Respectfully,

s/Marc Smith

Marc Smith
for COLUCCI & GALLAHER, P.C.